

Minutes of the Plan Commission – Town of Spring Green

October 10, 2017 - Spring Green Town Hall, E4411 Kennedy Road, Spring Green, WI 53588

Attendees: Dave Radel, Stephen Peterzak, Mary Peterzak, Mel Levy, Mark Levy, Jo Ann Finn, Tim Calder, Jackie Nolan, David Hinkle

1. Meeting called to order by Iausly at 7:00 pm.

2. Roll call Plan Commission members present: Fred Iausly, Michelle Thomas, Nate Robson, Kolby Hirth; excused: Carla Carmody; absent: none

3. Iausly attested that proper public notice had been made.

4. Motion approving minutes for the last meeting by Thomas, seconded by Robson. Motion carried.

5. Motion approving agenda as posted by Robson, seconded by Thomas. Motion carried.

6. Updates & Communications:

- **Updates from JEZC on requirements for a zoning permit and conditions for accessory structures**

An option discussed was that an Airbnb-type uses could be allowed for owner-occupied residences, so the primary use remains residential rather than an income-generation for an absentee homeowner.

The JEZC had initial discussions updating ordinance regarding the placement of accessory structures. There are situations within the ET where side or backyard placement of an accessory structure is not feasible, for example when the residence is in the far rear of the buildable area in a lot.

- **County ATV/UTV route.**

Sauk County has established ATV/UTV routes on some County Highways. The County website describes routes and conditions (e.g. 7 am – 9 pm) and has links to a map and the ordinance, Chapter 15. Within the Township the route runs from the intersection of Big Hollow Rd & Mercer Rd, north on Cty Hwy G to Bear Creek and Franklin.

7. Business Items:

- a. Schedule Special Meeting: Develop letter and establish date for special meeting with landowners of property south of Leone Rd (Seasonal Recreational Zoning District) to discuss driveway ordinance compliance in this area.**

The Plan Commission considered the calendar for scheduling a special meeting with affected homeowners and requested that Robson recuse himself due to his direct professional involvement. Robson expressed objection because there is no signed contract, which the Peterzaks confirmed. It was explained that Robson's involvement gives the appearance of impropriety of business interests over Town

business. Robson recused himself to the back of the room and stated that he would not participate in this discussion.

Mark Levy voiced concern about the timing of the meetings because some seasonal residents were preparing to leave for the winter. Hirth responded that it would be unfair to delay action for the Peterzaks only to accommodate the neighbors' seasonal recreation.

Mary Peterzak said that Greg Prem [village JEZC rep.] told her that we were asked to meet with all the residents in the ESR [extraterritorial seasonal recreational] district. Iausly clarified that the discussion Prem referenced involved zoning, but the issue at hand was the Town's driveway ordinance, which was not discussed at the JEZC.

Attendees were informed that the Town's attorney advised the Plan Commission to hold a special informational meeting to discuss the driveway ordinance and related issues with the landowners in the ESR.

The special meeting was scheduled for Tues Oct. 24, 7 pm, at Town Hall.

With much discussion from attendees, the Plan Commission reviewed the ordinance and crafted a letter. After final review, motion by Hirth and second by Thomas to send it via certified mail to all the landowners in the ESR. Motion carried.

The Plan Commission scheduled a site visit, on the private drive or via the DNR property bordering the affected driveway, for Sat., Oct. 21, 9 am.

b. Comprehensive Plan update

Nate Robson rejoined the Plan Commission. It was noted that language needed to be included in Element: 4 Drainage Ditch, but further discussion was deferred due to late time.

8. Public Comment:

Dave Radel announced that, at the Peterzak's invitation, he and Fire Chief Gunderson visited the private driveway in the ESR on about Sept. 25. Hirth asked if Radel had reported that site visit during his Supervisor's report during the Oct. Town Board meeting. Radel replied, no, but he was acting as a fire board member. Hirth asked Radel to confirm that he routinely reports on Fire District activities, which is a regular Town Board agenda item; Radel confirmed. Hirth asked what Chief Gunderson had communicated to the Peterzaks, and Radel responded that he didn't hear that part of the conversation.

Nate Robson said he should have been advised to recuse himself prior to this meeting. Hirth replied that Robson had announced his intention to recuse himself at last month's meeting and it was in the minutes that were approved unanimously this evening, so it was not understood that he wanted further communication. Robson said that he should have at least been asked prior to starting discussion of tentative dates for the special meeting. Iausly acknowledged that he should have asked for recusal prior to initiating the scheduling discussion. Hirth commented there hasn't been an issue involving recusal in almost 10 years, and the current Plan Commission is inexperienced in that respect.

Iausly recalled former Town Chairman recusing himself from a discussion on a proposed sand mine so as to avoid the appearance of a conflict; Stenner left the room so

his mere presence would not affect the discussion or influence the Board's vote. The Plan Commission discussed alternatives of Robson sitting in the back of the room versus leaving the room. The Plan Commission concurred that Robson's presence would not influence their thoughts or proceedings, but since the landowners had a side conversation with him at the back of the room during this meeting, it could be interpreted as a conflict or unfair preference. Robson asked if he should not attend the next meeting or to attend for role call and then immediately recuse himself. Iausly replied it was appropriate to come to the meeting, and then recuse himself.

9. Next Meeting Date: Special Meeting October 24, 2017 at 7:00pm. Regular meeting November 14, 2017 at 7:00 pm.

10. Adjournment: Motion to adjourn by Thomas, seconded by Robson at 9:45 pm. Motion carried.

(Kolby Hirth, Secretary)

(Fred Iausly, Chairperson)